

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MARQUEZ CRENSHAW,
Petitioner,

v.

HARRY STEWARD, Warden,
Respondent.

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NO. 3:09-CV-0710
JUDGE HAYNES

OKD ed.
This statement
and its compliance
with the Order of
February 19, 2010 9/1 EAD
14 is set for a
hearing on June
25, 2010
at 4:00
am
W. J. Haynes
W. J. Haynes
6-16-10

JOINT STATEMENT OF THE PARTIES

On May 4, 2010, this Court issued an Order directing the parties to file a joint statement as to their positions on discovery and other matters by June 14, 2010. (D.E. No. 30.) That joint statement is hereby submitted in compliance with this Court's Order.

Before addressing the points that the Court has identified, the parties note that the Petitioner Marquez Crenshaw is filing on June 14, 2010, a motion for leave to file his second amended petition. That amended petition aims to more specifically describe the *Napue* and *Brady* claims that Crenshaw has already raised because Crenshaw has recently discovered additional documents pertaining to those claims.

A. Discovery

1. Petitioner's Position

Today the petitioner is filing with this Court a motion for discovery. His independent discovery efforts have established that the state's key witness at trial deliberately testified falsely to inculcate the petitioner, and that the prosecutor and police files contain exculpatory documents that were not disclosed to trial counsel and that show that the key witness perjured himself. On